

**IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MISSOURI WESTERN DIVISION**

RYAN W ROBERTS,)
Plaintiff,)

v.)

Case No. 4:20-00076-CV-RK

THE DEPARTMENT OF VETERANS)
AFFAIRS, VETERANS HEALTH)
ADMINISTRATION; DR. RICHARD)
STONE, EXECUTIVE IN CHARGE)
VHA; DR WILLIAM PATTERSON,)
VISN 15 DIRECTOR; RICKY AMENT,)
ROBERT J DOLE VAMC FACILITY)
DIRECTOR; VALERIE MCCLARAN,)
PSB CHAIRPERSON, CRNA;)
CHRISTINA DEAN, EMPLOYEE)
RELATIONS/LABOR RELATIONS;)
AND SANDRA MILLER,)
EMPLOYEE RELATIONS/LABOR)
RELATIONS;)

Defendants.)

Response to Honorable Ketchmark's Order

From a review of the returns of service, it appears Plaintiff has not properly served

Defendants. See Fed. R. Civ. P. 4(i). Pursuant to Rule 4(i):

To serve a United States agency, or an officer or employee sued in his official capacity, a party must (1) deliver a copy of the summons and complaint personally or by registered or certified mail to the United States Attorney (or a designated subordinate) for the district where the action is brought; (2) send a copy of each by registered or certified mail to the Attorney General of the United States at Washington, D.C.; and (3) send a copy of each by registered or certified mail to the agency, officer, or employee.

Mr. Roberts has met the full requirements of Fed. R. Civ. P. 4(i), pursuant to Rule 4(i) through delivering a copy of the summons and complaints to all individuals, and/or Agencies, through personally delivering a complaint (Ms. Valerie McClaran, Mr. Ricky Ament, Ms. Sandra Miller,

and Ms. Christina Dean), and through the utilization of the United States Post Office by sending the summons and complaint through Certified Mail. As such, Mr. Roberts has followed the directions of the Court and met the criteria under Fed. R. Civ. P. 4(i).

The following individuals were delivered a copy of the summons and complaint personally by Mr. Nathaniel R. McClure who is of lawful age and met the requirements to deliver the service, on February 4th 2020, to the Ms. McCook who took lawful possession of the summons and complaint on the behalf of Ms. McClaran, as the HR Representative of the Kansas City VA Medical Facility. The summons and complaint was delivered in a manner that fully met the criteria and definition of acceptable practices as outlined by the Court. See Proof of Service as outlined in Pacer, line item #13, dated March 30th 2020.

The following individuals were delivered a copy of the summons and complaint by Deputy Pfluger ID #D1448, on February 10th 2020: Mr. Ricky Ament, Ms. Sandra Miller, and Ms. Christina Dean. The summons and complaint were delivered in a manner that fully met the criteria and definition of acceptable practices as outlined by the Court. See Proof of Service as outlined in Pacer, line item #7, #8, #9.

Further, if the summons and complaint was delivered in an appropriate manner to Ms. Christina Dean, then by default the summons and complaints delivered to Mr. Ricky Ament and Ms. Sandra Miller should be deemed acceptable as they were delivered the same material, in the same manner, on the same day, at approximately the same time as Ms. Christina Dean.

The following individuals were delivered a copy of the summons and complaint by Certified Mail through the use of the United States Post Office: Dr. Richard Stone, Dr. William Patterson, Attorney General's Office in Washington DC, United States Attorney's Office in Kansas City Missouri, and The Department of Veteran Affairs Veteran Health Administration official office. The summons and complaint were delivered in a manner that fully met the criteria and definition of acceptable practices as outlined by the Court. See Proof of Service of Service as outlined in Pacer, line item #14, #15, #16.

In the email to Ms. Wheeler, on April 23rd 2020, Mr. Roberts sent Proof of Service through the Certified Mail of the United States Post Office to all of the above-mentioned defendants. The Proof of Service shows clearly that the Attorney General's Office in Washington DC and Kansas City Attorney General's Office was delivered in a manner that meets the criteria and definition of the Court on delivering a summons and complaint.

As ALL Defendants have been delivered the summons and complaint in a manner that clearly meets the criteria and definition of Fed. R. Civ. P. 4(i), Mr. Roberts is again petitioning the court to immediately grant full default judgement in the favor of Mr. Roberts, as the Defendants have failed to reply to the summons and complaint in a timely manner and have offered no rebuttals or arguments against the charges against them.

Mr. Ryan Roberts, CRNA